

EDUCATION DEPARTMENT[281]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 256.7(5), the State Board of Education hereby proposes to amend Chapter 97, “Supplementary Weighting,” Iowa Administrative Code.

2014 Iowa Acts, House File 2271, related to supplementary weighting for shared operational functions of school districts, amends Iowa Code sections 257.11(7)“a”(1) and 257.11(7)“c” and “d.” In addition, 2014 Iowa Acts, Senate File 2056, related to whole-grade sharing incentives for school districts, amends Iowa Code sections 257.3(2)“d,” 257.11(2)“c,” and 257.11A and repeals Iowa Code section 257.11(5). The new operational sharing law, with an immediate enactment clause, makes substantial changes to operational sharing provisions in Iowa. In operational sharing, districts share personnel in listed positions under the law and receive additional state payment for doing so. With these new changes in the law, the current administrative rules are no longer accurate and need to be updated.

In addition, whole-grade sharing incentives have also been changed by other legislation with the same sunset and timing requirements that impact operational sharing. Changes to those rules are also contained within this rule making.

A previous rule making (**ARC 1119C**, IAB 10/16/13) based on similar legislation passed in the 2013 Session of the Iowa General Assembly was session-delayed by the Administrative Rules Review Committee in November 2013. The amendments in this rule making are based on the new law adopted in lieu of the 2013 legislation and will replace amendments adopted in **ARC 1119C**.

An agencywide waiver provision is provided in 281—Chapter 4.

Interested individuals may make written comments on the proposed amendments on or before July 1, 2014, at 4:30 p.m. Comments on the proposed amendments should be directed to Jeff Berger, Deputy Director, Iowa Department of Education, Second Floor, Grimes State Office Building, 400 East 14th Street, Des Moines, Iowa 50319-0146; telephone (515)281-8661; or e-mail at jeff.berger@iowa.gov.

A public hearing will be held on July 1, 2014, from 2 to 3 p.m., in the State Board Room, Second Floor, Grimes State Office Building, 400 East 14th Street, Des Moines, Iowa, at which time persons may present their views either orally or in writing. Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact and advise the Department of Education of specific needs by calling (515)281-5295.

These amendments were also Adopted and Filed Emergency and are published herein as **ARC 1486C**. The purpose of this Notice is to solicit public comment on that submission, the subject matter of which is incorporated by reference.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code sections 257.11(7)“a”(1) and 257.11(7)“c” and “d” as amended by 2014 Iowa Acts, House File 2271; Iowa Code sections 257.3(2)“d,” 257.11(2)“c,” and 257.11A as amended by 2014 Iowa Acts, Senate File 2056; and 2014 Iowa Acts, Senate File 2056, section 3.